



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

09/827,061

04/05/2001

Chuan-Yu Hsu

9585-0103

3443

73552

7590

07/17/2008

Stolowitz Ford Cowger LLP  
621 SW Morrison St  
Suite 600  
Portland, OR 97205

EXAMINER

SAFAIPOUR, HOUSHANG

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

07/17/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                       |                                   |  |
|------------------------------|---------------------------------------|-----------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>09/827,061  | <b>Applicant(s)</b><br>HSU ET AL. |  |
|                              | <b>Examiner</b><br>Houshang Safaipoor | <b>Art Unit</b><br>2625           |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 30-49 and 58-65 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 40-49 is/are allowed.
- 6) ☒ Claim(s) 30-39, 58-62, 64 and 65 is/are rejected.
- 7) ☒ Claim(s) 63 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments with respect to claims 30-49 have been considered but are moot in view of the new ground(s) of rejection. Claims 50-57 are canceled. Claims 58-65 are added.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

The recitation “An optical chassis” has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

2. Claims 30, 31, 33-35, 58-62 and 65 are rejected under 35 U.S.C. 102(b) as being anticipated by Cassarly et al. (US 5,927,849).

Art Unit: 2625

Regarding claims 30 and 58, Cassarly discloses optical chassis comprises a shell body (10) having a plurality of inside walls (12 and 14) defining an accommodation space;

a plurality of reflection planes (12A and 14A) , each of the reflection planes formed on a corresponding one of the inside walls and covering only a portion of the plurality of the corresponding inside walls (12 and 14, fig. 1);

a reflective plating films directly formed on at least portion of the plurality of reflection planes to reflect light (col. 3, lines 41-43); and

wherein the reflective plating film is not formed on at least some portions of the plurality of inside walls (col. 3, lines 16-28 and 41-43).

Regarding claim 31, Cassarly teaches a light source (16) coupled to the body to transmit light to one or more of the reflection planes (Fig 1).

Considering claims 33, 59, 60 and 61 Cassarly teaches that one of the inside walls and the reflection plane are molded as a single piece, the shell body and plurality of reflection planes are formed as a single piece and the reflection plane is two or more reflection planes (See Figs 1).

For claim 34, please refer to the rejection of claim 1. In addition Cassarly teaches the the pair of reflectors 12 and 14 (separate pieces) are joined together and collectively form the shell body [one reflector is considered as a lid body and the other as a major body] (fig. 1, col. 3, lines 16-28).

For claim 35, Cassarly discloses that at least two of the plurality of inside walls are substantially opposed, and wherein at least one of the reflection planes is formed on each of the at least two substantially opposed inside walls (See Fig 1).

Regarding claims 62 and 65, please refer to fig. 1A lens 18 and 20.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 32, 36 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (AAPA), in view of Cassarly et al. (US 5,927,849) and further in view of Murakami (US 4,460,939).

For claim 32, Applicant's admitted prior art teaches wherein the optical chassis comprised at least a portion of an optical scanner (See Paragraph 005). Therefore it would have been obvious to a person of ordinary skill in the art to use the hollow shell of Cassarly's invention with the reflectors formed thereon as the replacement for shell 141 as disclosed in AAPA in order to have less complicated and less expensive structure.

Considering claim 36, Murakami teaches wherein the reflective plating films comprises at least one selected from the group including silver, chromium, aluminum, and platinum, and alloys thereof (col. 2, lines 58-64).

Considering claim 37, Applicant's admitted prior art teaches wherein at least a portion of the reflection planes have substantially corresponding angles (Fig 2).

Art Unit: 2625

5. Claims 38 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (AAPA), in view of Cassarly et al. (US 5,927,849), in view of Murakami et al. (US 4,460,939) and further in view of Vent (US 5,489,457).

Regarding claim 38, Vent teaches wherein the reflective plating film is coated with a protection materials (2:6-14; 4:1-20; 5:57-6:2).

For claim 39, Vent discloses wherein the protection material comprises at least one selected from the group including PE plastic films and macromolecular material (4:1-9).

6. Claim 64 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cassarly et al. (US 5,927,849), and further in view of Bundo et al. (US 6,354,901).

Regarding claim 64, Bundo discloses covering reflective planes using sputtering method. Therefore it would have been obvious to a person of ordinary skill in the art to use such method in Cassarly's invention.

#### ***Allowable Subject Matter***

Claims 40-49 are allowed.

Claim 63 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (571)272-7412. The examiner can normally be reached on Mon.-Fri. from 6:00am to 2:30pm.

Art Unit: 2625

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571)272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Houshang Safaipoor/  
Primary Examiner, Art Unit 2625